

## HOUSE BILL NO. HB0040

Education accountability.

Sponsored by: Select Committee on Statewide Education  
Accountability

A BILL

for

1 AN ACT relating to education accountability; modifying the  
2 Wyoming Accountability in Education Act as specified;  
3 modifying provisions to comply with the federal Every  
4 Student Succeeds Act; conforming provisions; modifying the  
5 operation of the advisory committee to the select committee  
6 on statewide education accountability; repealing the select  
7 committee on statewide education accountability; requiring  
8 reporting; and providing for effective dates.

9

10 *Be It Enacted by the Legislature of the State of Wyoming:*

11

12       **Section 1.** W.S. 21-2-202(a)(xiv) and (xxxvi),  
13 21-2-204(c) by creating a new paragraph (viii), by creating  
14 a new subsection (e), by amending and renumbering (e) as  
15 (f), by amending and renumbering (f) as (h), by renumbering

1 (h) as (j) and by amending and renumbering (j) and (k) as  
2 (k) and (m), 21-2-304(a)(vi) and 21-13-307(a)(iv) are  
3 amended to read:

4

5 **21-2-202. Duties of the state superintendent.**

6

7 (a) In addition to any other duties assigned by law,  
8 the state superintendent shall:

9

10 (xiv) For purposes of the statewide assessment  
11 of students and reporting student performance under W.S.  
12 21-2-304(a)(v), have authority to assess and collect  
13 student educational assessment data from school districts,  
14 community colleges and the University of Wyoming. All data  
15 shall be consolidated, combined and analyzed in accordance  
16 with W.S. ~~21-2-204(h)~~ 21-2-204(j) and shall be provided  
17 within a reasonable time in accordance with rules and  
18 regulations of the state board;

19

20 (xxxvi) Commencing school year 2015-2016, in  
21 conjunction with the school district accreditation process  
22 required under W.S. 21-2-304(a)(ii) and as a component of  
23 the statewide education accountability system created under

1 W.S. 21-2-204, conduct a review of each school district's  
2 assessment system once every five (5) years to ensure  
3 alignment with the uniform state education standards  
4 promulgated by the state board, and to ensure district  
5 adherence to the uniform graduation standards prescribed by  
6 the state board under W.S. 21-2-304(a)(iii). Reviews  
7 undertaken pursuant to this paragraph, together with  
8 findings, shall be reported to the state board and any  
9 deficiencies determined by the review shall be addressed  
10 through the statewide system of support established under  
11 W.S. ~~21-2-204(f)~~ 21-2-204(h).

12

13 **21-2-204. Wyoming Accountability in Education Act;**  
14 **statewide education accountability system created.**

15

16 (c) School level performance shall be determined by  
17 measurement of performance indicators and attainment of  
18 student performance as specified by this section. To the  
19 extent applicable, each measure shall be aggregated to the  
20 school level based upon those grades served inclusive to  
21 each school as reported by the respective school district  
22 to the department of education. The indicators of school  
23 level performance shall be:

1

2 (viii) English language proficiency as measured  
3 by student longitudinal progress on the Wyoming English  
4 language proficiency assessments used to evaluate and  
5 monitor the English language proficiency of students  
6 identified as English language learners.

7

8 (e) The state board, through the department of  
9 education, shall establish long term and interim  
10 performance targets for all Wyoming schools for the  
11 indicators measured pursuant to subsection (c) of this  
12 section. The performance targets shall conform to the  
13 January 2012 education accountability report, revised by  
14 the December 2016 report, as defined by subsection (m) of  
15 this section. The state board shall utilize the performance  
16 targets in carrying out the duties and the deliberative  
17 process required under subsection (f) of this section.

18

19 ~~(e)~~ (f) The state board, through the department of  
20 education, shall compile, evaluate and determine the target  
21 levels for an overall school performance rating and for  
22 ~~content~~ indicator level performance. The board shall  
23 execute this determination when a significant aspect of the

1 school accountability system changes or based upon periodic  
2 review of the system that requires evaluation of the target  
3 and indicator levels for school performance ratings through  
4 a prescribed deliberative process informed by a panel  
5 comprised of broad based representation from both public  
6 education and the community at-large. The target levels for  
7 school performance on all performance indicators measured  
8 under subsection (c) of this section shall conform to the  
9 January 2012 education accountability report, revised by  
10 the December 2016 report, as defined by subsection ~~(k)~~ (m)  
11 of this section and shall be used by the state board  
12 through the department to:

13

14 (i) Identify four (4) levels of school  
15 performance tied to the overall school performance rating  
16 that demonstrate a range of performance levels as follows:

17

18 (A) Exceeding expectations including those  
19 schools performing above standards in all measured areas;

20

21 (B) Meeting expectations;

22

23 (C) Partially meeting expectations; and

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(D) Not meeting expectations.

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(ii) Further measure performance specified under paragraph (i) of this subsection by identifying ~~content~~ indicator level performance in all areas specified by subsection (c) of this section and from this analysis determine schools that are exceeding, meeting or are below targets in each content area;

(iii) Coordinate the target levels, school and ~~content~~ indicator level determinations with the availability of the system of support, including comprehensive and targeted support and interventions ~~and consequences~~ administered in accordance with subsection ~~(f)~~ (h) of this section.

~~(f)~~ (h) A progressive multi-tiered system of support, and intervention ~~and consequences~~ to assist schools shall be established by the state board, and shall conform to the January 2012 education accountability report, revised by the December 2016 report, as defined by subsection ~~(k)~~ (m) of this section. The system shall clearly identify and

1 prescribe the actions for each level of support, including  
2 comprehensive and targeted support and intervention. ~~and~~  
3 ~~consequence.~~ Commencing with school year 2014-2015, and  
4 each school year thereafter, the state superintendent shall  
5 take action based upon system results according to the  
6 following:

7  
8 (i) Repealed By Laws 2012, Ch. 101, § 2.

9  
10 (ii) Repealed By Laws 2012, Ch. 101, § 2.

11  
12 (iii) ~~Schools designated as exceeding~~  
13 ~~expectations shall file a communication plan with the~~  
14 ~~school district superintendent and the department to~~  
15 ~~document effective practices and to communicate effective~~  
16 ~~practices with other schools in the state;~~

17  
18 (iv) ~~Schools designated as meeting expectations~~  
19 ~~shall file an improvement plan with the school district~~  
20 ~~superintendent and the department. The plan shall be based~~  
21 ~~upon an evaluation of the strengths and deficiencies of~~  
22 ~~specific indicator scores that identifies appropriate~~  
23 ~~improvement goals with an explanation of the measures and~~

1 ~~methods chosen for improvement, the processes to be~~  
2 ~~implemented to deliver the improvement measures,~~  
3 ~~identification of relevant timelines and benchmarks and an~~  
4 ~~articulation of the process for measuring success of the~~  
5 ~~methods chosen to increase performance. The state~~  
6 ~~superintendent shall appoint a representative in accordance~~  
7 ~~with paragraph (vii) of this subsection to monitor the~~  
8 ~~school's progress towards meeting the specified goals and~~  
9 ~~implementation of the processes, measures and methods as~~  
10 ~~contained in the school's plan. The representative shall~~  
11 ~~assist the district, if requested, in identifying and~~  
12 ~~securing the necessary resources to support the goals as~~  
13 ~~stated by the school and the district;~~

14

15 (v) Schools designated as partially meeting  
16 expectations shall file an improvement plan ~~in accordance~~  
17 ~~with paragraph (iv) of this subsection~~ with the school  
18 district superintendent and the department that identifies  
19 and addresses all content and indicator areas where  
20 performance is below target levels. The plan shall be based  
21 upon an evaluation of the strengths and deficiencies of  
22 specific indicator scores that identifies appropriate  
23 improvement goals with an explanation of the measures and



1 methods chosen for improvement, the processes to be  
2 implemented to deliver the improvement measures,  
3 identification of relevant timelines and benchmarks and an  
4 articulation of the process for measuring success of the  
5 methods chosen to increase performance. The state  
6 superintendent shall appoint a representative in accordance  
7 with paragraph (vii) of this subsection to monitor the  
8 school's progress towards meeting the specified goals and  
9 implementation of the processes, measures and methods as  
10 contained in the school's plan. The representative shall  
11 assist the district in identifying and securing the  
12 necessary resources to support the goals as stated by the  
13 school and the district. Failure to meet improvement goals  
14 as specified in the plan for two (2) consecutive years may  
15 require that the school be subject to paragraph (vi) of  
16 this subsection;

17

18 (vi) Schools designated as not meeting  
19 expectations shall file an improvement plan in accordance  
20 with paragraph ~~(iv)~~ (v) of this subsection that identifies  
21 and addresses all content and indicator areas where  
22 performance is below target levels. In addition, the  
23 evaluation of a district's student assessment system as

1 provided by paragraph (vii) of this subsection may be  
2 undertaken in that school year immediately following any  
3 school year in which a school within the district has been  
4 designated as not meeting expectations. The state  
5 superintendent shall appoint a representative in accordance  
6 with paragraph (vii) of this subsection to assist in  
7 drafting the improvement plan, including the selection of  
8 programs and interventions to improve student performance.  
9 The representative shall perform duties as required by  
10 paragraph (v) of this subsection. The plan shall be  
11 recommended by the school district superintendent and  
12 approved by the local board of trustees prior to submission  
13 to the department. The plan shall describe the personnel  
14 and financial resources within the education resource block  
15 grant model as defined by W.S. 21-13-101(a)(xiv) necessary  
16 for implementation of the measures and methods chosen for  
17 improvement and shall specify how resources shall be  
18 reallocated, if necessary, to improve student performance;

19

20 (vii) A representative shall be appointed by the  
21 state superintendent, in consultation with the local board  
22 of trustees, for all schools designated under paragraphs  
23 ~~(iv) through~~ (v) and (vi) of this subsection to serve as a

1 liaison between the school district leadership and the  
2 department. The representative shall be an employee of the  
3 department, an employee of a Wyoming school district or any  
4 combination, and may require more than one (1) individual  
5 for schools requiring substantial intervention and support.  
6 Additionally, one (1) representative may be assigned to  
7 more than one (1) school. Among other duties as may be  
8 requested by the district or department, the representative  
9 shall review and provide suggestions on the improvement  
10 plans submitted by schools in accordance with paragraphs  
11 ~~(iv) through~~ (v) and (vi) of this subsection, and may  
12 review and evaluate district student assessment systems  
13 implemented under W.S. 21-3-110(a)(xxiv) to ensure  
14 alignment with the uniform state education standards.  
15 After one (1) year of a school not meeting expectations  
16 under paragraph (vi) of this subsection, approval of the  
17 improvement plan by the representative appointed under this  
18 subsection shall be required. Requested resources for  
19 improvement plan implementation, or the reallocation of  
20 existing resources for plan implementation, shall be based  
21 upon a comprehensive review of the available research.  
22 Justification for resource allocation or reallocation shall  
23 be incorporated within the written improvement plan. The

1 representative shall possess expertise appropriate to  
2 particular strategies incorporated within improvement plans  
3 to enable necessary plan evaluation, and shall be  
4 commensurate with the level of intervention, and support  
5 ~~and consequences~~ to be administered under this subsection.  
6 The state superintendent shall annually report to the state  
7 board on the progress of each school in meeting annual  
8 goals and overall improvement targets, fully describing the  
9 effectiveness and deficiencies of efforts to improve school  
10 performance in performance categories prescribed by this  
11 section;

12

13 (viii) To the extent permitted by law and rule  
14 and regulation, plans submitted in compliance with  
15 paragraphs ~~(iii) through~~ (v) and (vi) of this subsection  
16 shall serve to comply with similar requirements  
17 administered by the state superintendent and the  
18 department, and the state board shall ensure the plans  
19 minimize submission of duplicative information, material  
20 and the administrative burdens placed upon schools. In  
21 addition, the following shall apply to the plans submitted  
22 under this subsection:

23

1           (A) All plans submitted under this  
2 subsection shall be made available for public inspection  
3 through internet access as defined by W.S.  
4 9-2-1035(a)(iii);

5  
6           (B) Schools designated as partially meeting  
7 expectations under paragraph (v) of this subsection or  
8 designated as not meeting expectations under paragraph (vi)  
9 of this subsection shall file the required improvement plan  
10 the first year of designation and submit yearly updates on  
11 the progress towards the goals and strategies outlined in  
12 the improvement plan so long as the school maintains the  
13 same performance designation.

14  
15           (ix) In addition to paragraphs ~~(iii)~~ (v) through  
16 (viii) of this subsection, the state board shall administer  
17 this subsection as part of school district accreditation  
18 required under W.S. 21-2-304(a)(ii), through appropriate  
19 administrative action taken in accordance with W.S.  
20 21-2-304(b)(ii).

21  
22           ~~(h)~~ (j) Measured performance results obtained and  
23 collected pursuant to this section, together with

1 subsequent actions responding to results, shall be combined  
2 with other information and measures maintained and acquired  
3 under W.S. 21-2-202(a)(xxi), 21-2-304(a)(v)(H),  
4 21-3-110(a)(xxiv) and otherwise by law, to be used as the  
5 basis of a statewide system for providing periodic and  
6 uniform reporting on the progress of state public education  
7 achievement compared to established targets. The statewide  
8 accountability system shall include a process for  
9 consolidating, coordinating and analyzing existing  
10 performance data and reports for purposes of aligning with  
11 the requirements of this section and for determinations of  
12 student achievement incorporated into the statewide system.  
13 In establishing a reporting system under this subsection,  
14 the department shall describe the performance of each  
15 public school in Wyoming. The performance report shall:

16

17 (i) Include an overall school performance rating  
18 along with ratings for each of the indicators and content  
19 levels in the accountability system that:

20

21 (A) Supports the overall school performance  
22 rating; and

23

1 (B) Provides detailed information for  
2 analysis of school performance on the various components of  
3 the system.

4  
5 (ii) In a manner to maintain student  
6 confidentiality, be disaggregated as appropriate by content  
7 level, target level, grade level and appropriate subgroups  
8 of students. For purposes of this paragraph, reported  
9 subgroups of students shall include at minimum,  
10 economically disadvantaged students, English language  
11 learners, identified racial and ethnic groups and students  
12 with disabilities;

13  
14 (iii) Provide longitudinal information to track  
15 student performance on a school, district and statewide  
16 basis;

17  
18 (iv) Include, through the use of data  
19 visualization techniques, the development of longitudinal  
20 student-level reports of assessment and other relevant  
21 readiness indicators that provide information to parents,  
22 teachers and other school personnel regarding student  
23 progress toward college and career readiness and other

1 relevant outcomes. These reports shall be maintained by  
2 the district in each student's permanent record within the  
3 district's student data system; and  
4

5 (v) Provide valid and reliable data on the  
6 operation and impact of the accountability system  
7 established under this section for use by the legislature  
8 to analyze system effectiveness and to identify system  
9 improvements that may be necessary.  
10

11 ~~(j)~~ (k) Beginning school year 2014-2015, and each  
12 school year thereafter, the state board shall through the  
13 state superintendent, annually review the statewide  
14 education accountability system, including but not limited  
15 to a review of the appropriateness of the performance  
16 indicators, the measures used to demonstrate performance,  
17 the methods used to calculate school performance, the  
18 target levels and statewide, district and school attainment  
19 of those levels and the system of support, and  
20 intervention. ~~and consequences.~~ Not later than September  
21 1, 2015, and each September 1 thereafter, the state board  
22 shall report to the joint education interim committee on  
23 the information required under this subsection and the



1 results of the accountability system for each school in the  
2 state.

3  
4 ~~(k)~~ (m) As used in this section, the "January 2012  
5 education accountability report" means the report prepared  
6 by legislative consultants submitted to and approved by the  
7 legislature that addresses phase one of the statewide  
8 accountability in education system and establishes the  
9 design framework for this system. The January 2012  
10 education accountability report includes the additional  
11 guidance and further refinement as provided in the December  
12 2016 report submitted to the legislature. The ~~report is~~  
13 reports are on file with and available for public  
14 inspection from the legislative service office.

15

16 **21-2-304. Duties of the state board of education.**

17

18 (a) The state board of education shall:

19

20 (vi) Subject to and in accordance with W.S.  
21 21-2-204, through the state superintendent and in  
22 consultation and coordination with local school districts,  
23 by rule and regulation implement a statewide accountability

1 system. The accountability system shall include a  
2 technically defensible approach to calculate achievement,  
3 growth, readiness and equity as required by W.S. 21-2-204.  
4 The state board shall establish performance targets as  
5 required by W.S. ~~21-2-204(e)~~ 21-2-204(f), establish a  
6 progressive multi-tiered system of supports, and  
7 interventions ~~and consequences~~ as required by W.S.  
8 ~~21-2-204(f)~~ 21-2-204(h) and shall establish a statewide  
9 reporting system pursuant to W.S. ~~21-2-204(h)~~ 21-2-204(j).  
10 The system created shall conform to the January 2012  
11 education accountability report as defined by W.S.  
12 ~~21-2-204(k)~~ 21-2-204(m). ~~In addition~~ As part of the  
13 statewide accountability system, and for purposes of  
14 complying with requirements under the federal ~~No Child Left~~  
15 ~~Behind Act of 2001~~ Every Student Succeeds Act, the board  
16 shall by rule and regulation provide for annual  
17 accountability determinations based upon ~~adequate yearly~~  
18 ~~progress~~ measures imposed by federal law for all schools  
19 and school districts imposing a range of educational  
20 ~~consequences~~ interventions and supports resulting from  
21 accountability determinations;  
22

1           **21-13-307. Eligibility to share in distribution of**  
2 **money from foundation account; mandatory financial**  
3 **reporting.**

4  
5           (a) Each district which meets the following  
6 requirements is eligible to share in the distribution of  
7 funds from the foundation account:

8  
9           (iv) The district shall provide evidence to the  
10 state superintendent that the district has maintained an  
11 average student-teacher ratio of not greater than sixteen  
12 (16) to one (1) for the aggregate of all classes in  
13 kindergarten through grade three (3) in the district in the  
14 preceding school year. The requirement of this paragraph  
15 may be waived by the department of education for any  
16 district that demonstrates insufficient school facility  
17 capacity, positive school performance, positive student  
18 achievement or for other reasons related to the delivery of  
19 the education program to students. This paragraph shall  
20 not apply to charter schools established under W.S.  
21 21-3-301 through 21-3-314 or schools designated as  
22 exceeding expectations pursuant to W.S. ~~21-2-204(e)(i)(A)~~  
23 21-2-204(f)(i)(A). Schools designated as exceeding

1 expectations pursuant to W.S. ~~21-2-204(e)(i)(A)~~  
2 21-2-204(f)(i)(A) shall notify the department annually of  
3 the student teacher ratios for the aggregate of all classes  
4 in kindergarten through grade three (3) in the district in  
5 the preceding year. The department shall compute the  
6 student-teacher ratio and report it to each district not  
7 later than March 1 of each year. To obtain a waiver under  
8 this paragraph, a school district shall apply to the  
9 department not later than March 15 of each year. The  
10 application shall be based on the student-teacher ratio  
11 reported by the department of education, together with any  
12 other information required by the department. The  
13 department shall approve or deny an application for a  
14 waiver under this paragraph not later than April 10 of that  
15 year. A waiver approved under this paragraph shall be  
16 effective for the school year immediately following the  
17 application and approval.

18

19 **Section 2.** W.S. 21-2-204(c)(i), (iv) and (vii), as  
20 amended by 2016 Wyoming Session Laws, Chapter 113, Section  
21 1, is amended to read:

22

1           **21-2-204. Wyoming Accountability in Education Act;**  
2           **statewide education accountability system created.**

3  
4           (c) School level performance shall be determined by  
5 measurement of performance indicators and attainment of  
6 student performance as specified by this section. To the  
7 extent applicable, each measure shall be aggregated to the  
8 school level based upon those grades served inclusive to  
9 each school as reported by the respective school district  
10 to the department of education. The indicators of school  
11 level performance shall be:

12  
13           (i) Student longitudinal academic growth in  
14 English language arts and mathematics as measured by  
15 assessments administered under paragraph (ii) of this  
16 subsection, beginning in grade four (4) and for all  
17 subsequent grades for which a state summative achievement  
18 assessment is administered in the immediately preceding  
19 grade, including a standardized college readiness test in  
20 grade eleven (11);

21  
22           (iv) Post secondary readiness, as defined by a  
23 ~~standardized college entrance examination administered~~

1 ~~pursuant to W.S. 21-2-202(a)(xxx) in grade eleven (11),~~  
2 ~~together with a readiness indicator defined by a series of~~  
3 ~~student eligibility data reports generated under the~~  
4 ~~Hathaway student scholarship program established by W.S.~~  
5 ~~21-16-1301 through 21-16-1310~~ the state superintendent in  
6 consultation with the state board of education, with ~~school~~  
7 ~~level~~ results aggregated at the school level according to a  
8 ~~procedure in which values and weights determined by a~~  
9 ~~deliberate method are tied to specified definitions of post~~  
10 ~~secondary readiness;~~ deliberative methods, and shall  
11 include:

12  
13 (A) College readiness as measured by a  
14 standardized college entrance examination administered  
15 pursuant to W.S. 21-2-202(a)(xxx) in grade eleven (11) and  
16 by additional college readiness indicators. The state board  
17 of education shall determine those additional college  
18 readiness indicators, if any; or

19  
20 (B) Career readiness as determined by the  
21 state board of education.

22

1           (vii) Equity as defined by a measure of academic  
2 student growth for ~~nonproficient~~ students that score below  
3 the proficient standard in English language arts and  
4 mathematics, subject to a standard for academic progress  
5 that is linked to attainment of proficiency within a  
6 reasonable period of time. If a school is without a  
7 sufficient sequence of assessment scores to support growth  
8 computations, another approach to equity may be used  
9 subject to approval of the state superintendent; ~~;~~

10

11           **Section 3.** W.S. 21-2-204(c)(ii)(B) is repealed.

12

13           **Section 4.** 2016 Wyoming Session Laws, Chapter 108,  
14 Section 3 and 2016 Wyoming Session Laws, Chapter 113,  
15 Section 3(a) are repealed.

16

17           **Section 5.** W.S. 21-2-204(f)(iii) and (iv) renumbered  
18 in Section 1 of this act as (h)(iii) and (iv) is repealed.

19

20           **Section 6.** Notwithstanding 2016 Wyoming Session Laws,  
21 Chapter 113, Section 3(b), the advisory committee to the  
22 joint education interim committee shall continue to exist  
23 and shall assist the joint education interim committee as

1 the committee deems necessary through December 31, 2018.  
2 The members appointed under 2011 Wyoming Session Laws,  
3 Chapter 184, Section 4(d), as amended by 2013 Wyoming  
4 Session Laws, Chapter 195, Section 3 and 2015 Wyoming  
5 Session Laws, Chapter 30, Section 5, shall continue to  
6 serve on the advisory committee. The appointing authority  
7 for any member who vacates membership shall fill the  
8 vacancy. Any member appointed or serving on the advisory  
9 committee who is not an employee of a governmental  
10 subdivision or a member of a political subdivision, board  
11 or commission shall receive per diem and travel expenses in  
12 the manner and amount provided to state employees under  
13 W.S. 9-3-103. Payment shall be from amounts appropriated  
14 under 2016 Wyoming Session Laws, Chapter 113, Section 6(b).  
15 The legislative service office shall continue to staff the  
16 advisory committee.

17

18 **Section 7.**

19

20 (a) The advisory committee to the joint education  
21 interim committee shall consider development of an  
22 additional indicator or indicators to measure school  
23 quality or student success as part of the Wyoming



1 Accountability in Education Act. Not later than August 15,  
2 2017, the advisory committee shall report to the joint  
3 education interim committee recommendations for the  
4 additional indicator or indicators. The report shall  
5 include identification of any enabling legislation that may  
6 be necessary.

7

8 (b) The state board of education shall identify the  
9 measures and method to determine post secondary readiness  
10 as required under W.S. 21-2-204(c)(iv) as amended by  
11 section 2 of this act. Not later than August 15, 2017, the  
12 state board shall report to the joint education interim  
13 committee the methods and process recommended to determine  
14 post secondary readiness. The methods and process shall  
15 conform to recommendations provided by the advisory  
16 committee to the joint education interim committee. The  
17 report shall include identification of any enabling  
18 legislation that may be necessary.

19

20 (c) The state board, through the department of  
21 education, shall conduct the deliberative process required  
22 under W.S. 21-2-204(f) as amended by section 1 of this act  
23 to set the target and indicator levels to determine the

1 overall school performance ratings for school year  
2 2017-2018. The state board shall include documentation and  
3 explanation of the deliberative process and benchmarks  
4 established in the September 1, 2018 report required under  
5 W.S. 21-2-204(j) as amended by section 1 of this act.

6  
7 (d) The advisory committee to the joint education  
8 interim committee shall study the elimination of ninth and  
9 tenth grade summative assessments, any impact the  
10 elimination would have on the statewide accountability  
11 model and any fiscal impact to the state. The advisory  
12 committee shall report its findings to the joint education  
13 interim committee not later than August 15, 2017.

14  
15 **Section 8.** 2016 Wyoming Session Laws, Chapter 108,  
16 Section 1(a), (d) and (e), Section 2 (a) and (c), Section  
17 4(a) and (b) are amended to read:

18  
19 **Section 1.**

20  
21 (a) The department of education shall  
22 commence development of an alternative school  
23 level accountability model to be piloted in

1 school year 2016-2017. The model shall adhere, as  
2 closely as possible, to the recommendations  
3 contained in the "Wyoming Alternative School  
4 Accountability Framework: Recommendations from  
5 the Alternative Accountability Advisory  
6 Committee" report dated October 15, 2015,  
7 submitted by the technical advisory group  
8 pursuant to 2015 Wyoming Session Laws, Chapter  
9 179, Section 5, to the select committee on  
10 statewide education accountability, and any  
11 additional recommendations by the technical  
12 advisory group in carrying out the duties  
13 required by this act. The department of education  
14 shall periodically report progress on development  
15 of the pilot required under this subsection to  
16 the technical advisory group, ~~the select~~  
17 ~~committee on statewide education accountability~~  
18 and the joint education interim committee. Data  
19 from the alternative schools operating in Wyoming  
20 pursuant to W.S. 21-13-309(m)(v)(B) shall be  
21 utilized to perform the pilot.

22

1           (d) Not later than school year 2017-2018,  
2       the state board of education, through the  
3       department, and with the assistance of the  
4       technical advisory group, shall compile, evaluate  
5       and determine the target levels for an overall  
6       school performance rating and for content level  
7       performance that are appropriate for alternative  
8       schools operating pursuant to W.S.  
9       21-13-309(m)(v)(B). The board shall execute this  
10      determination through a prescribed deliberative  
11      process informed by a panel comprised of  
12      professionals with the appropriate expertise to  
13      establish target levels for performance to  
14      appropriately distinguish and recognize the  
15      varied levels of school performance associated  
16      specifically with the operation of alternative  
17      schools as measured by the indicators contained  
18      in subsection (b) of this section. Performance  
19      level targets shall be established to identify  
20      alternative school performance levels for  
21      exceeding expectations, meeting expectations,  
22      partially meeting expectations and not meeting  
23      expectations. The state board shall report

1       periodically to ~~the select committee on statewide~~  
2       ~~education accountability and~~ the joint education  
3       interim committee on the progress related to  
4       setting target levels associated with school  
5       performance rating required under this subsection  
6       and a final report shall be submitted no later  
7       than October 15, 2018.

8  
9       (e) The state board of education shall, in  
10      consultation with the technical advisory group,  
11      study and develop recommendations related to the  
12      progressive multi-tiered system of support,  
13      interventions and consequences required under  
14      W.S. 21-2-204(f) specifically targeted to assist  
15      alternative schools, as necessary, for the four  
16      (4) levels of school performance to be  
17      established under subsection (d) of this section.  
18      The state board shall report any recommendations  
19      for modification, as may be necessary, pursuant  
20      to this subsection, to ~~the select committee on~~  
21      ~~statewide accountability and~~ the joint education  
22      interim committee, no later than October 15,  
23      2018.

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**Section 2.**

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(a) Notwithstanding 2015 Wyoming Session Laws, Chapter 179, Section 5(a), the alternative school technical advisory group shall ~~continue to~~ assist the ~~select committee on statewide education accountability~~ joint education interim committee as the ~~select~~ committee deems necessary through December 31, 2018. The technical advisory group shall review and provide necessary feedback to the state board of education and the department of education as necessary in carrying out the duties assigned under section 1 of this act.

(c) The legislative service office shall staff the technical advisory group. The legislative service office may retain consultants as necessary to staff and advise the technical advisory group and the ~~select committee on statewide education accountability~~ joint education interim committee in execution of the

1 duties prescribed under this act. The management  
2 council may expend funds appropriated by the  
3 legislature for approved contractual agreements  
4 between the council and professional consultants  
5 on behalf of the ~~select~~ committee.

6  
7 **Section 4.**

8  
9 (a) For the period beginning upon the  
10 effective date of this section and ending June  
11 30, 2019, six thousand five hundred dollars  
12 (\$6,500.00) is appropriated from the school  
13 foundation program account to the state board of  
14 education to convene the panel of professionals,  
15 required under section 1(d) of this act, to set  
16 target performance levels. This appropriation may  
17 be expended for per diem and mileage of any  
18 member who serves on the panel of professionals.  
19 The amounts appropriated under this subsection  
20 shall not be expended to secure meeting space or  
21 to pay for food, beverage or catering services.  
22 Any member appointed or serving on the panel who  
23 is not an employee of a governmental subdivision

1 or a member of a political subdivision, board or  
2 commission shall receive per diem and mileage in  
3 the manner and amount provided to state employees  
4 under W.S. 9-3-103. Notwithstanding any other  
5 provision of law, the appropriation under this  
6 subsection shall not be transferred or expended  
7 for any purpose other than specified in this  
8 subsection. Any unexpended, unobligated funds  
9 remaining from the appropriation under this  
10 subsection shall revert as provided by law on  
11 June 30, 2019. Not later than December 31, 2018,  
12 the state board shall report expenditures of  
13 amounts appropriated under this subsection to ~~the~~  
14 ~~select committee on statewide education~~  
15 ~~accountability and~~ the joint education interim  
16 committee.

17  
18 (b) For the period beginning upon the  
19 effective date of this section and ending June  
20 30, 2019, three thousand five hundred dollars  
21 (\$3,500.00) is appropriated from the school  
22 foundation program account to the state board of  
23 education to provide support and administration



1 of the technical advisory group continued under  
2 section 2 of this act. This appropriation may be  
3 expended for per diem and mileage of the  
4 technical advisory group. The amounts  
5 appropriated under this subsection shall not be  
6 expended to secure meeting space or to pay for  
7 food, beverage or catering services. Any member  
8 appointed or serving on a committee who is not an  
9 employee of a governmental subdivision or a  
10 member of a political subdivision, board or  
11 commission shall receive per diem and mileage in  
12 the manner and amount provided to state employees  
13 under W.S. 9-3-103. Notwithstanding any other  
14 provision of law, the appropriation under this  
15 subsection shall not be transferred or expended  
16 for any purpose other than specified in this  
17 subsection. Any unexpended, unobligated funds  
18 remaining from the appropriation under this  
19 subsection shall revert as provided by law on  
20 June 30, 2019. Not later than December 31, 2018,  
21 the state board shall report expenditures of  
22 amounts appropriated under this subsection to ~~the~~  
23 ~~select committee on statewide education~~

1       ~~accountability and~~ the joint education interim  
2       committee.

## 4                   Section 9.

(a) Sections 4, 6, 7 and 8 of this act are effective immediately upon completion of all acts necessary for a bill to become law as provided by Article 4, Section 8 of the Wyoming Constitution.

10

11           (b) Except as provided in subsection (a) of this  
12 section, this act is effective July 1, 2017.

13

14 (END)